

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANTHONY HENRY,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
61 PA. STAT. § 331.21 (1941),	:	NO. 17-4583
Defendant.	:	

ORDER

AND NOW, this 15th day of December, 2017, upon consideration of Henry's *pro se* motion to proceed *in forma pauperis*, *pro se* Complaint, "Request to Dismiss Case Without Prejudice" (ECF No. 6), and Letter (ECF No. 8) it is ORDERED that:

1. Leave to proceed *in forma pauperis* is GRANTED.
2. Plaintiff, Anthony Henry, #DW-5253, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Henry, an initial partial filing fee of \$18.02 is assessed. The Superintendent or other appropriate official at SCI Dallas or at any other prison at which Henry may be incarcerated is directed to deduct \$18.02 from Henry's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 17-4583. In each succeeding month when the amount in Henry's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited

to Henry's inmate trust fund account until the fees are paid. Each payment shall reference the docket number for this case, Civil Action No. 17-4583.

3. The Clerk of Court is directed to send a copy of this Order to the Superintendent at SCI Dallas.

4. The Complaint is DISMISSED with prejudice for the reasons stated in the Court's Memorandum.

5. Henry's "Request to Dismiss Case Without Prejudice" is DENIED as moot.

6. The Clerk of Court shall CLOSE this case.

BY THE COURT:

/s/ Gerald J. Pappert

GERALD J. PAPPERT, J.